

Atty. Dkt. No. 00CR002/KE

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

No claims are requested to be cancelled.

Claim 1 is currently being amended. Claim 1 is amended to correct a typographical error. No new matter is added. No claims are being added.

This amendment changes a claim in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 remain pending in this application.

In paragraphs 2-3 of the Office Action, claims 1, 3, 5-8, 10 and 12-15 are rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,392,695 (Watamoto). The Examiner states:

4. As to claims 1 and 8, Watamoto et al teaches an image display device 500 (fig. 5) associated with a method, the image display device 500 comprising: . . .

6. As to claims 5 and 12, Watamoto et al teaches an image display device 500 (fig. 5) associated with a method, the image display device 500 comprising: . . .

9. As to claim 15, Watamoto et al teaches an image display device 500 (fig. 5) comprising:

Applicants respectfully traverse the rejection. In addition, Applicants reserve the right to swear behind Watamoto in further proceedings if necessary.

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In paragraphs 10-12 of the Office Action, claims 2 and 9 are rejected under 35 U.S.C. § 103 as being unpatentable over Watamoto in view of U.S. Patent No. 5, 900,851 (Toffolo). The Examiner states:

As to claims 2 and 9, Watamoto et al teaches all of the claimed limitation of claims 1 and 8, except for the matrix of light emitting diodes.

However, Toffolo et al teaches electroluminescent display panel 22 (see fig. 1) which inherent includes the matrix of light emitting diodes.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide electroluminescent display panel 22 which inherent includes the matrix of light emitting diodes taught by Toffolo et al for Watamoto et al's display device, because this would prevent screen burn in as taught by Toffolo et al (col. 2, lines 8-9).

Applicants respectfully traverse the rejection.

In paragraphs 13 and 14 of the Office Action, claims 4 and 11 are rejected under 35 U.S.C. § 103 as being unpatentable over Watamoto in view of U.S. Patent No. 6,369,851 (Marflak). The Examiner states:

As to claims 4 and 11, Watamoto et al teaches all of the claimed limitation of claims 1 and 8, except for a field effect display.

However, Marflak et al teaches a flat cathode ray tube 308 (see fig. 3) which inherent includes a field effect display matrix.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide the flat cathode ray tube 308 which inherent includes the field effect display matrix taught by Marflak et al for Watamoto et al's display device, because this would minimized burn lines on a display as taught by Marflak et al (see title).

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Applicants respectfully traverse the rejection. Applicants reserve the right to swear behind Marflak in future proceedings if necessary. Marflak, Watamoto, and Toffolo are referred to below as the cited art.

In paragraphs 16 and 17 of the Office Action, the Examiner's response to the Applicants' previous arguments. The Examiner states:

As stated *infra* with respect to claims 1, 8, and 15, Examiner finds that Watamoto et al disclose "In a television receiver with a CD deck incorporated therein, during reproduction of a CD, the position of an OSD is changed, or the image adjustment value is lowered" (col. 7, lines 24-27). Watamoto et al further teach "Additionally, in the event that any input is made by the user during reproduction of the CD, since a TV picture may be of importance to the user, the image adjustment value is returned to the original value (col-7, lines 11-14). Thus, Watamoto et al teach "*in the event that any input is made by the user during reproduction of the CD*", a person of ordinary skill in the art to recognize that the user do not pay attention when "*the position of an OSD is changed, or the image adjustment value is lowered*"; therefore, Watamoto et al teach the limitation of "the moving of an image so that the movement is imperceptible to a user."

Applicants respectfully traverse the Examiner's comments.

Each of independent claims 1, 8, and 15 recites a limitation in which the drive signals are substantially continuously altered to thereby "substantially continuously move the static image on the matrix in a manner which is substantially undetectable to viewers of the display." As discussed in the previous response to office action, Watamoto does not discuss the moving of the images in a manner imperceptible to the user. The sections of Watamoto cited by the Examiner merely state that the screen burn-in is prevented by providing image adjustment.

There is no indication in Watamoto that the image movement occurs in a manner that is imperceptible to the user. The Examiner's statement that a user would not pay attention is simply a matter of conjecture and has no basis in Watamoto whatsoever. Even so, simply

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because the user is distracted, the movement does not become "substantially undetectable." "Substantially undetectable" further defines the movement of the image and does not refer to the attention span of the viewer. Certainly, at the times when the user is paying attention, the movement in Watamoto would be detectable without evidence to the contrary.

In contrast to the Examiner's assertions, Watamoto appears to disclose the opposite of the present invention. In Watamoto, the degree of movement appears to occur in response to a number in a counter. The fact that the OSD is moved in response to the number stored in the counter means that the OSD is moved substantially when the counter is reset from 10 to zero. Without further information from Watamoto, a change in position ten times larger than the ordinary change would clearly be perceptible to the user. See col. 6, line 10-12 of Watamoto. Toffolo and Martak do not provide for the deficiencies of Watamoto. Accordingly, it is submitted that independent claim 1 and its dependent claims 2-7, independent claim 8 and its dependent claims 9-14 and independent claim 15 are patentable over Watamoto, Toffolo and Martak, alone or in combination.

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Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

Date

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By



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